

REMARKS

Applicant would like to thank the Examiners Saba Tsegaye and John Pezzlo for the telephonic interview on December 16, 2003. In response to the interview, Applicant submits this draft response with proposed amendments to the independent claims to clarify that the switch of the present invention is capable of establishing calls through the packet fabric, the switch fabric, and the packet fabric and the switch fabric. Further, the switch establishes a call through one of the packet fabric, the switch fabric, or the packet fabric and the switch fabric based on the originating and termination end points.

In addition to the Dekelbaum reference cited to reject all pending claims under 35 U.S.C. § 102(e), Examiner Tsegaye pointed to a previously cited reference, Allen Jr. et al., for establishing calls over an ATM network. However, even if the Dekelbaum and Allen references are combined, the combination still fails to teach or suggest a single switch that establishes a call through the packet fabric, the switch fabric, or the packet fabric and the switch fabric based on the originating and termination end points.

Respectfully submitted,

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